

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JANUARY 28, 2013**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, January 28, 2013, with Councillor Lewis presiding.

Councillor Freeman introduced Pastor Rob Hock, Southport Presbyterian Church, who led the opening prayer. Councillor Freeman then invited all present to join him in the Pledge of Allegiance to the Flag.

President Lewis welcomed Councillor Jefferson Shreve, the newest member of the Council, replacing former Councillor Jeff Cardwell.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
1 ABSENT: Cain

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Oliver recognized civil rights activist David Sims. Councillor Adamson recognized Rufus Myers of the Indianapolis Housing Agency. Councillor Osili recognized Andy Harris of Wayne Township. Councillor Robinson recognized Carole Craig of the NAACP. Councillor Barth recognized Jeremy Stewart, Butler Tarkington Neighborhood Association.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 28, 2013, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Maggie Lewis
President, City-County Council

January 7, 2013

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, January 9, 2013 a copy of a Notice of Public Hearing on Proposal No. 19, 2013, said hearing to be held on Monday, January 28, 2013, at 7:00 p.m. in the City-County Building.

Respectfully,
s/NaTrina DeBow
Clerk of the City-County Council

January 18, 2013

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 1, 2013 - appropriates an additional \$552,654 in the 2013 Budget of the City-County Council (Consolidated County Fund) for other contractual expenses of the Council.

SPECIAL RESOLUTION NO. 1, 2013 – recognizes Foundation Against Companion-Animal Euthanasia (FACE) for their commitment to the reduction of animal euthanasia in Indianapolis

Respectfully,
s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of January 7, 2013. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 36, 2013. The proposal, sponsored by Councillors Evans, Talley and Lutz, recognizes the 2012 Cathedral High School football team for winning the 4A State Championship. Councillors Evans and Lutz read the proposal and presented copies of the document and Council pins to representatives. Coaches ? thanked the Council for the recognition. Councillor Evans moved, seconded by Councillor Lutz, for adoption. Proposal No. 36, 2013 was adopted by a unanimous voice vote.

Proposal No. 36, 2013 was retitled SPECIAL RESOLUTION NO. 2, 2013, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 2013

A SPECIAL RESOLUTION recognizing the 2012 Cathedral High School Football team for winning the 4A State Championship.

WHEREAS, Cathedral won the 4A State Championship at 40th Annual IHSAA Football State Finals in Lucas Oil Stadium. This is the third year in a row and four out of the last five the Fighting Irish have repeatedly won; and

WHEREAS, Cathedral triumphed over Mishawaka High School with a final score of 56-29 and were led by Gino Gillum's 20 carries for 129 yards (6.45 yards per carry average) and four touchdowns. Gillum would be named to the All State team, the top fifty players in Indiana team and Mr. Football Position player for the State of Indiana at the running back position; and

WHEREAS, the team played their toughest high school regular season schedule in the State of Indiana and, possibly the Midwest, with three eventual State champions from Indiana, Ohio and Kentucky, as regular season opponents; and

WHEREAS, over the years, Cathedral has won many championship games. These games include the following: State Championships in: 1931, 1952, 1986, 1992, 1996, 1998, 1999, 2006, 2008, 2010, 2011, 2012; Semi-State Champions in: 1973, 1976, 1986, 1991, 1992, 1996, 1998, 1999, 2006, 2008, 2010, 2011, 2012; Regional State Champions in: 1973, 1976, 1986, 1991, 1992, 1996, 1998, 1999, 2006, 2008, 2010, 2011, 2012; Sectional Champions in: 1973, 1976, 1986, 1991, 1992, 1996, 1998, 1999, 2006, 2008, 2010, 2011, 2012; and

WHEREAS, the 2012 State Tournament Games are as follows: Sectionals – 62-point win over Northview, 30-point win over Lebanon, and a 27-point win over Roncalli; Regional: 34-point win over Mt. Vernon of Fortville; and Semi-State: 35-point win over Columbus East; and

WHEREAS, the team was led by Head Football Coach Rick Streiff and assistant coaches Mic Roessler, Tim Barthel, Tim Peterson, Nick Lyons, Adam Barth, Darrick Brownlow, Mike Prior, Jere Kubuske, Jon Mundil, John O'Hara, Ethan Schreiber, Marty McLinn, Adam Powell, Howard Fogel, Sean O'Connor and CJ Heinz; and consists of members Sam Frederick, James Bolton, Collin Barthel, Cody Andreoni, John Hummel, Evan Oeding, Ryan Rodgers, Johnny Scotto, Conor Sweeney, Jack Mattingly, Eric Hinkes, Connor Rice, Charlie Leahy, Derrick Harvey, Alec Letcher, Venton Curry, Ben Baker, Brian Haas, Joey Mercho, Davis Hensley, Kip Kyle, Jack Gomez, David Hobson, Sampson Levingston, Kyle Vassilo, Stone Schneider, Jack Greene, David Salvas, Gino Gillum, Tron Estep, Nick McKinley, Terry McLaurin, Jack Hayden, Stu Stanley, Chris Rudicel, Liam O'Hara, Brennan Champion, Nick Morrison, Tony Constantino, Joseph Schopper, Johnny Kelley, Tom Sieber, Austin Compton, Kyle Loechel, Patrick Troy, Elliot Frederick, Gibran Williams, Luke Cureton, Jacob Wunder, Grant Kirkpatrick, Cooper Riddle, Caleb Cross, Kevin Haas, Bryce Campbell, James Schulz, Drew Bailey, Ronnie Hill, DeAndre Hartwell, Jack Stephens, Spencer Wilson, Spencer Mossman, Jonah Weaver, Austin Orr, Colin Sandor, Shawn Hall, Connor Dykhuizen, Shelton Buell, Wes Bernard, John Michael Garvey, James Officer, Thomas Berg, Sean Bucherl, Ian Rolinson, Ciaran Minch, John White, Ryan Murphy, Will Hall, Mitch Rougraff, James Evans, Sasha Schultz, Raja Burt, Alex Cotton, Owen Adams, Tucker Gregor, Zach Jordan, Jalen Goode-Neale, Herbert Miller, Carlos Carpizo, Matthew Mitsch, Jared Thomas, Evan Gogel, Wyatt Wood, John Preston, Zach Saum, Maurice Reeves, Evan Whigham, Matt Babb, Stephen Stark, Conner Lenahan, Zak Batt, Cameron O'Connor, Gabe McAteer, David Dickman, Ross Beretta, Malcolm Dotson, Grant Thompson, Harrison Adams, Matt Guzman, and Alex O'Malley; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 2012 Cathedral High School Football team for winning the 4A State Championship.

SECTION 2. The Council extends its congratulations to the team on their achievement and wishes them success in future endeavors, both athletically and academically.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 37, 2013. The proposal, sponsored by Councillors Freeman and Sandlin, recognizes Pastor Rob Hock and Southport Presbyterian Church and the many volunteers of the Emergency Response Group for their significant contributions following the Richmond Hill explosion. Councillors Freeman and Sandlin read the proposal and presented representatives with copies of the document and Council pins. Pastor Hock thanked the Council for the recognition and recognized volunteers. Councillor Sandlin moved, seconded by Councillor Freeman, for adoption. Proposal No. 37, 2013 was adopted by a unanimous voice vote.

Proposal No. 37, 2013 was retitled SPECIAL RESOLUTION NO. 3, 2013, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 2013

A SPECIAL RESOLUTION recognizing Pastor Rob Hock of Southport Presbyterian Church and the many volunteers of the Emergency Response Group for their significant contributions following the Richmond Hill explosion.

WHEREAS, on November 10, 2012, at 11:10 p.m. an explosion rocked the community in the subdivision known as Richmond Hill, on the Southside of Indianapolis. As a result of that explosion, many homes were damaged; more than thirty homes were beyond repair; and with several persons were injured, including the deaths of two; and

WHEREAS, the morning after the explosion, members of the Southport Presbyterian Church reached out to the individuals at the Emergency Shelter site located in Mary Bryan Elementary School, but learned that the site needed to be relocated because the school needed to resume classes the following day. Southport Presbyterian quickly volunteered to take on the task of caring for those impacted by this horrific event; and

WHEREAS, Southport Presbyterian Church, under the leadership of Senior Pastor Rob Hock, established their emergency response group with team members: Pastor June Barrow, Barry Griffin, Fenton Strickland, Cindy McClain, Shawn Kennington, Kris Hoppingarner, Glenda Griffin, Marcia Harris, Roy Kane, Marcy Snow, Jack Christy, Neil Cox, Lou Cover, Mark Standifer, Rick Link, Ben McCann, Mike Boler and many others. They remained on duty over a period of several days; and

WHEREAS, Southport Presbyterian opened its doors to the community and provided logistics, love, prayer, and care to those in need. The Chapel was utilized as a community briefing room for many informational meetings; hot meals were provided to community members, volunteers and many first responders; and items donated by the community were sorted and distributed to those who were in need; and

WHEREAS, many volunteers at Southport Presbyterian were there with open arms, to comfort and love their neighbors in a glowing example of how the community works together to support each other in times of crisis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Pastor Rob Hock of Southport Presbyterian Church and the many volunteers of the Emergency Response Group for their significant contributions following the Richmond Hill explosion.

SECTION 2. The Council thanks Southport Presbyterian Church for its dedication and for providing a warm shelter, hot meals and a loving environment to the families, friends and emergency services personnel during the days and weeks following the Richmond Hill explosion.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 173, 2012. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 173, 2012 on May 16 and July 18, 2012 and January 16, 2013. The proposal, sponsored by Councillor Moriarty Adams, appoints Joe Shikany to the Marion County Community Corrections Advisory Board. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 173, 2012 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
1 ABSENT: Cain

Proposal No. 173, 2012 was retitled COUNCIL RESOLUTION NO. 9, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 2013

A COUNCIL RESOLUTION appointing Joe Shikany to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Joe Shikany

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2012. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 405 and 407, 2016 on January 14, 2013. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 405, 2012. The proposal, sponsored by Councillor Robinson, reappoints Lena Hackett to the Metropolitan Development Commission. PROPOSAL NO. 407, 2012. The proposal, sponsored by Councillor Robinson, reappoints William Selm to the Metropolitan Development Commission. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Robinson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 405 and 407, 2016 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
1 ABSENT: Cain

Proposal No. 405, 2012 was retitled COUNCIL RESOLUTION NO. 10, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 2013

A COUNCIL RESOLUTION reappointing Lena Hackett to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council reappoints:

Lena Hackett

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 407, 2012 was retitled COUNCIL RESOLUTION NO. 11, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 11, 2013

A COUNCIL RESOLUTION reappointing William Selm to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council reappoints:

William Selm

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

PROPOSAL NO. 412, 2012. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 412, 2016 on January 14, 2013. The proposal, sponsored by Councillor Robinson, reappoints Sarah Lyons to the Metropolitan Board of Zoning Appeals, Division III. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gooden said that he does not support this appointment, as the individual has only lived in the city for two years and is not a property owner, and therefore does not think she has the type of perspective that qualifies her to hear such important cases such as these.

Councillor Mahern said that this should be non-controversial and the lack of owning property should not prevent someone from volunteering on a board, just as it should not prevent someone from voting. He said that she graduated from Notre Dame University with honors and has chosen to make this city her home.

Councillor Robinson agreed and said that her resume is impeccable.

Councillor Miller said that he has met Ms. Lyons and he enjoys her passion for the city, but this is an issue beyond mere residency. He said that the resumes of other appointees for this board show backgrounds in real estate, law or property assessment. He said that he has sat through many

long zoning hearings and it is clear to him that it is critically important that they have people with this an understanding and experience in real estate to serve in this capacity.

Councillor Oliver said that to keep someone from participating in democracy because they do not own property is a low shot.

Councillor Hickman said that she supports Ms. Lyons' nomination.

Councillor Gooden said that this is nothing personal against Ms. Lyons, and she has every right to participate in democracy, but this is a very important board and the individuals who serve on this board need a strong knowledge, background and perspective in property ownership. He said that he is not on a gymnastics team because he does not have the proper skills, and this is not a personal attack.

Councillor Mahern said that this body is elected not because of what they know or claim to know, but they are asked to speak for the people on every kind of items that go before this board. He said that this board could use the voice of an average citizen, and there are other ways to address Councillor Gooden's concerns than opposing this appointment.

Councillor Robinson moved, seconded by Councillor Hickman, for adoption. Proposal No. 412, 2012 was adopted on the following roll call vote; viz:

16 YEAS: Adamson, Barth, Brown, Evans, Hickman, Hunter, Lewis, Mahern, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Simpson, Talley
11 NAYS: Freeman, Gooden, Holliday, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Scales, Shreve
1 NOT VOTING: Gray
1 ABSENT: Cain

Proposal No. 412, 2012 was retitled COUNCIL RESOLUTION NO. 12, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 2013

A COUNCIL RESOLUTION reappointing Sarah Lyons to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council reappoints:

Sarah Lyons

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

PROPOSAL NO. 420, 2012. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 420, 2012 on January 16, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Carol Ann Ryan to the Animal Care and Control Board. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 420, 2012 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

0 NAYS:

1 ABSENT: Cain

Proposal No. 420, 2012 was retitled COUNCIL RESOLUTION NO. 13, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 2013

A COUNCIL RESOLUTION reappointing Carol Ann Ryan to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council reappoints:

Carol Ann Ryan

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Mansfield reported that the Administration and Finance Committee heard Proposal Nos. 1 and 2, 2013 on January 15, 2013. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 1, 2013. The proposal, sponsored by Councillor Lewis, reappoints Pamela Hickman to the City-County Internal Audit Committee. PROPOSAL NO. 2, 2013. The proposal, sponsored by Councillor Lewis, reappoints Jack Sandlin to the City-County Internal Audit Committee. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mansfield moved, seconded by Councillor Hickman, for adoption. Proposal Nos. 1 and 2, 2013 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

0 NAYS:

1 ABSENT: Cain

Proposal No. 1, 2013 was retitled COUNCIL RESOLUTION NO. 14, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 14, 2013

A COUNCIL RESOLUTION reappointing Pamela Hickman to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Pamela Hickman

January 28, 2013

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 2, 2013 was retitled COUNCIL RESOLUTION NO. 15, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 15, 2013

A COUNCIL RESOLUTION reappointing Jack Sandlin to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Jack Sandlin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 3, 2013. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 3, 2013 on January 15, 2013. The proposal, sponsored by Councillor Lewis, appoints Glenn Lawrence to the Indianapolis Marion County Building Authority Board of Trustees. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 3, 2013 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday,
Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams,
Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
1 NAY: McHenry
1 ABSENT: Cain

Proposal No. 3, 2013 was retitled COUNCIL RESOLUTION NO. 16, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 16, 2013

A COUNCIL RESOLUTION appointing Glenn Lawrence to the Indianapolis Marion County Building Authority Board Of Trustees.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Marion County Building Authority Board Of Trustees, the Council appoints:

Glenn Lawrence

SECTION 2. The appointment made by this resolution is for a term ending June 30, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 4, 2013. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 4, 2013 on January 15, 2013. The proposal, sponsored by Councillors Lewis and Gooden, approves the Mayor's appointment of Olgen Williams as the

Deputy Mayor for Neighborhoods. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Brown said that recent House of Representative bills have been proposed to take this responsibility away from the Council. This process has been prompted by Mayor Ballard and would make this the Mayor's authority only with no citizen input on a local level. He said that he therefore is voting no on all these appointments this evening until the Mayor withdraws that request.

Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 4, 2013 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 NAYS: Brown, Gray
1 ABSENT: Cain

Proposal No. 4, 2013 was retitled COUNCIL RESOLUTION NO. 17, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 17, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of Olgen Williams as the Deputy Mayor for Neighborhoods for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised code of the Consolidated City and County," a mayoral appointment of Deputy Mayor is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Olgen Williams to serve as Deputy Mayor for Neighborhoods at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Olgen Williams is approved and confirmed by the City-County Council to serve as Deputy Mayor for Neighborhoods for a term ending December 31, 2013, and until a successor is appointed and confirmed.

PROPOSAL NO. 5, 2013. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 5, 2013 on January 15, 2013. The proposal, sponsored by Councillors McQuillen and Adamson, approves the Mayor's appointment of Jason L. Kloth as the Deputy Mayor for Education. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Miller said that he likes Mr. Kloth's approach to education.

Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 5, 2013 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
4 NAYS: Brown, Evans, Gray, Oliver
1 ABSENT: Cain

Proposal No. 5, 2013 was retitled COUNCIL RESOLUTION NO. 18, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 18, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of Jason L. Kloth as Deputy Mayor for Education for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised code of the Consolidated City and County," a mayoral appointment of Deputy Mayor is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Jason Kloth to serve as Deputy Mayor for Education at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Jason L. Kloth is approved and confirmed by the City-County Council to serve as Deputy Mayor for Education for a term ending December 31, 2013, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

PROPOSAL NO. 6, 2013 Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 6, 2013 on January 15, 2013. The proposal, sponsored by Councillors Gooden, Miller, Osili, Simpson and McQuillen, approves the Mayor's appointment of Deron Kintner as the Deputy Mayor for Economic Development. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Talley stated that Mr. Kintner also serves as the director of the Bond Bank, and he asked if he will be doing both jobs. Mr. Kintner said that he will continue to serve in both positions at this time.

Councillor Mahern asked if he will be receiving both salaries. Mr. Kintner said that he will not. Councillor Mahern asked what entities besides the City come before the Bond Bank. Mr. Kintner said that by statute, all City and County agencies and departments, Municipal Corporations, and Charter Schools sponsored by the Mayor can bond through Bond Bank. Councillor Mahern said that he sees a problem with not having someone separate working at the Bond Bank for an independent voice and not following the wishes of the Mayor blindly. Mr. Kintner said that there are two deputy directors and a staff of nine people in the Bond Bank and it has never really been independent of the administration, as all five board members are appointed by the Mayor's Office. He said that this is also not the first time the director of the Bond Bank has also worked out of the Mayor's Office.

Councillor Miller said that a lot of tough questions were put to Mr. Kintner, and he appreciates his demeanor and candor.

Councillor Hickman asked who will pay Mr. Kintner's salary. Mr. Kintner said that the Bond Bank will pay his salary.

Councillor Mahern said that he has great respect for Mr. Kintner and thinks he is a brilliant man, but the City and County deserves a dedicated person at the Bond Bank, especially since they are paying the salary. He said that in this arrangement, the Mayor's Office will enjoy the lion's share of Mr. Kintner's time and, while this is not personal, he believes it is a failure on the part of Mr. Kintner's boss to adequately fill that position.

Councillor Mansfield moved, seconded by Councillor Simpson, for adoption. Proposal No. 6, 2013 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Barth, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
5 NAYS: Brown, Evans, Gray, Mahern, Oliver
1 ABSENT: Cain

Proposal No. 6, 2013 was retitled COUNCIL RESOLUTION NO. 19, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 19, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of Deron Kintner as Deputy Mayor for Economic Development for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised code of the Consolidated City and County," a mayoral appointment of Deputy Mayor is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Deron Kintner to serve as Deputy Mayor for Economic Development at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Deron Kintner is approved and confirmed by the City-County Council to serve as Deputy Mayor for Economic Development for a term ending December 31, 2013, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

PROPOSAL NO. 7, 2013. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 7, 2013 on January 14, 2013. The proposal, sponsored by Councillors Lewis and Lutz, nominates Diane Masariu-Carter to the Speedway Economic Development Commission. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Pfisterer said that Ms. Carter has been involved in the Speedway area for many years and she supports the nomination. Councillor Lutz agreed and said that he has known Ms. Carter for many years and her parents lived in Speedway when she was born, and he heartily supports the nomination.

Councillor Robinson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 7, 2013 was adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
1 NAY: Gray
1 ABSENT: Cain

Proposal No. 7, 2013 was retitled COUNCIL RESOLUTION NO. 20, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 2013

A COUNCIL RESOLUTION nominating Diane Masariu-Carter to the Speedway Economic Development Commission.

January 28, 2013

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Speedway Economic Development Commission, the Council nominates:

Diane Masariu-Carter

SECTION 2. The nomination made by this resolution is for a term ending January 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 8, 2013. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 8, 2013 on January 14, 2013. The proposal, sponsored by Councillors Lewis and Cain, approves the Mayor's appointment of Adam Thies as the Director of the Department of Metropolitan Development. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 8, 2013 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
4 NAYS: Brown, Evans, Gray, Oliver
1 ABSENT: Cain

Proposal No. 8, 2013 was retitled COUNCIL RESOLUTION NO. 21, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of Adam Thies as the Director of the Department of Metropolitan Development for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Adam Thies to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Adam Thies is approved and confirmed by the City-County Council to serve as the Director of the Department of Metropolitan Development for a term ending December 31, 2013, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

PROPOSAL NO. 9, 2013. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 9, 2013 on January 14, 2013. The proposal, sponsored by Councillors Pfisterer, Cain and Adamson, approves the Mayor's appointment of Rick Powers as the Director of the Department of Code Enforcement. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield thanked Mr. Powers for doing a great job, and said that he has been very prompt in responding to issues even before being permanently appointed to this position.

Councillor Miller agreed and said that his district would not survive without Mr. Powers' help. Councillor Robinson moved, seconded by Councillor Mansfield, for adoption. Proposal No. 9, 2013 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 NAYS: Brown, Oliver
1 ABSENT: Cain

Proposal No. 9, 2013 was retitled COUNCIL RESOLUTION NO. 22, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 22, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of Rick Powers as the Director of the Department of Code Enforcement for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Code Enforcement is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Rick Powers to serve as Director of the Department of Code Enforcement at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Rick Powers is approved and confirmed by the City-County Council to serve as the Director of the Department of Code Enforcement for a term ending December 31, 2013, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

PROPOSAL NO. 10, 2013. Councillor Oliver stated that the Parks and Recreation Committee heard Proposal No. 10, 2013 on January 10, 2013. The proposal, sponsored by Councillors McHenry and Gray, approves the Mayor's appointment of John W. Williams as the Director of the Department of Parks and Recreation. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Brown said that Senate Bill 621 and House Bill 1399 will take away the Council's voice and prohibit them from asking questions like those asked of Mr. Kintner earlier. He said that the Council represents 35,000 taxpayers, and although he respects Mr. Williams and Mr. Powers, he is voting in opposition as a protest to those actions.

Councillor Oliver moved, seconded by Councillor Talley, for adoption. Proposal No. 10, 2013 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 NAYS: Brown, Gray
1 ABSENT: Cain

Proposal No. 10, 2013 was retitled COUNCIL RESOLUTION NO. 23, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 23, 2013

A COUNCIL RESOLUTION approving the Mayor's appointment of John W. Williams as the Director of the Department of Parks and Recreation for a term ending December 31, 2013, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Parks and Recreation is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of John W. Williams to serve as Director of the Department of Parks and Recreation at his pleasure for a term ending December 31, 2013; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. John W. Williams is approved and confirmed by the City-County Council to serve as the Director of the Department of Parks and Recreation for a term ending December 31, 2013, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 12-14 and 16, 2013 on January 16, 2013. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 12, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Alfarena Ballew to the Domestic Violence Fatality Review Team. PROPOSAL NO. 13, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Caroline Fisher to the Domestic Violence Fatality Review Team. PROPOSAL NO. 14, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Dawn Higgins to the Domestic Violence Fatality Review Team. PROPOSAL NO. 16, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Tracy McQueen to the Domestic Violence Fatality Review Team. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Gray asked why there are no men being appointed to the Domestic Violence Fatality Review Team. Councillor Moriarty Adams said that she will raise that question with the team.

Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal Nos. 12-14 and 16, 2013 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday,
Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty
Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
1 ABSENT: Cain

Proposal No. 12, 2013 was retitled COUNCIL RESOLUTION NO. 24, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 24, 2013

A COUNCIL RESOLUTION reappointing Alfarena Ballew to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Alfarena Ballew

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 13, 2013 was retitled COUNCIL RESOLUTION NO. 25, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 2013

A COUNCIL RESOLUTION reappointing Caroline Fisher to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Caroline Fisher

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 14, 2013 was retitled COUNCIL RESOLUTION NO. 26, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 2013

A COUNCIL RESOLUTION reappointing Dawn Higgins to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Dawn Higgins

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 16, 2013 was retitled COUNCIL RESOLUTION NO. 27, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 2013

A COUNCIL RESOLUTION reappointing Tracy McQueen to the Domestic Violence Fatality Review Team.

January 28, 2013

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Tracy McQueen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 15, 2013. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 15, 2013 on January 16, 2013. The proposal, sponsored by Councillor Moriarty Adams, reappoints Linda Major to the Domestic Violence Fatality Review Team. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Moriarty Adams moved, seconded by Councillor Talley, to strike. Proposal No. 15, 2013 was stricken by a unanimous voice vote.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 25, 2013. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$116,881 in the 2013 Budget of the Marion County Superior Court (Federal Grant Stimulus Fund) for wireless connectivity in the City-County Building "; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 26, 2013. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the City to issue bonds in a maximum aggregate principal amount not to exceed \$2,500,000 to fund payments to two defendants to settle a civil lawsuit against IMPD Officer David Bisard and the City of Indianapolis on charges of negligence causing personal injury, neglect and intentional infliction of emotional distress"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 27, 2013. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code concerning charter schools concerning the establishment of a management fund and institution of administrative fees and regarding timely written notification of a charter revocation"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 28, 2013. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code concerning ethics disclosure to ensure more transparency with respect to gifts provided to Councillors and their families"; and the President referred it to the Ethics Committee.

PROPOSAL NO. 29, 2013. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$2,638,371 in the 2013 Budget of the Department of Metropolitan Development (Federal Grants and Consolidated County Fund) to fund transportation planning"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 30, 2013. Introduced by Councillors Simpson and Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$1,471,000 in the 2013 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund activities

to mitigate the negative impacts of the nation's economic decline and housing market collapse to maintain eligible land bank properties"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 31, 2013. Introduced by Councillors Simpson and Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$1,000,000 in the 2013 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund activities that will focus on the promotion and development of healthy housing by addressing lead hazard concerns"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 32, 2013. Introduced by Councillors Simpson and Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$1,540,708 in the 2013 Budget of the Department of Metropolitan Development (Federal Grants, Redevelopment General and Consolidated County Funds) to fund demolition and other brownfield activities"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 33, 2013. Introduced by Councillors Adamson, Hickman, Talley and Oliver. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which directs the Department of Public Works to use \$3 million of its 2013 appropriation from the RebuildIndy Subfund of the Consolidated County Fund for the purpose of financing infrastructure improvements in the Avondale Meadows area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 34, 2013. Introduced by Councillor Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to repeal the section creating the Law Enforcement Study Commission"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 35, 2013. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates and transfers \$349,540 in the 2013 Budget of the Marion Superior Court (Juvenile Probation, County Grants, Federal Grants and Drug Free Community Funds) for the purchase of three vehicles for unannounced home visits for probationers, to implement a grant from the Annie E. Casey Foundation focusing on reduction of juvenile incarcerations, to cover the cost of case managers assigned to Drug Treatment and Re-Entry Courts, and to cover personnel costs "; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 38, 2013, PROPOSAL NO. 39, 2013 and PROPOSAL NOS. 40-43, 2013. Introduced by Councillor Robinson. Proposal No. 38, 2013, Proposal No. 39, 2013 and Proposal Nos. 40-43, 2013 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 17 and 15, 2013. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 2-7, 2013, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 2, 2013.

2012-ZON-050

5825 MICHIGAN ROAD (*Approximate Addresses*)

INDIANAPOLIS, WASHINGTON TOWNSHIP

COUNCIL DISTRICT # 8

REDEEMED CHRISTIAN CHURCH OF GOD COVENANT HOUSE, INC., by David Kingen, requests Rezoning of 0.68 acre, from the D-5 and C-3 Districts, to the C-3C classification to provide for corridor commercial uses.

REZONING ORDINANCE NO. 3, 2013.

2012-ZON-072

3051, 3055 AND 3097 WEST 16TH STREET (*Approximate Address*)

INDIANAPOLIS, WAYNE TOWNSHIP

COUNCIL DISTRICT # 14

ROBERTSON PROPERTIES, LLC, by David Kingen, requests Rezoning of 0.62 acre, from the C-5 (W-5) and D-5 (W-5) Districts to the C-5 (W-5) classification to provide for commercial uses.

REZONING ORDINANCE NO. 4, 2013.

2012-ZON-069

2330 AND 2510 ENTERPRISE PARK DRIVE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 9

XPRESS CARGO, INC., by Brian J. Tuohy, requests Rezoning of 8.174 acres, from the C-S District, to the C-S classification to provide for the inside maintenance and repair of trucks and trailers and the outside storage of trucks and trailers, in addition to the uses permitted by 2002-ZON-837 and 2010-MOD-013.

REZONING ORDINANCE NO. 5, 2013.

2012-ZON-071

25 NORTH PINE STREET, 1000 AND 1024 EAST MARKET STREET (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 15

HENRY AMALGAMATED, LLC / HENRY AMALGAMATED II LLC, by David Kingen, requests Rezoning of 1.63 acres, from the I-3U and I-3U (FF) to the C-3C and C-3C (FF) classifications to provide for commercial uses.

REZONING ORDINANCE NO. 6, 2013.

2012-ZON-073

3220 AND 3266 NORTH MERIDIAN STREET (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 8

PBB III, LLC, by Mary E. Solada, requests Rezoning of 2.674 acres from the HD-1 and HD-2 Districts to the C-1 classification to provide for office uses.

REZONING ORDINANCE NO. 7, 2013.

2012-ZON-076

4724 NORTH GERMAN CHURCH ROAD (*Approximate Address*)

CITY OF LAWRENCE, LAWRENCE TOWNSHIP

COUNCIL DISTRICT # 12

MARION A. HALL, by Thomas Michael Quinn, requests Rezoning of 18.7 acres from the D-A (FW) (FF) District to the C-3 (FW) (FF) classification to provide for neighborhood commercial use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 448, 2012. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 448, 2012 on December 18, 2012 and January 15, 2013. The proposal, sponsored by Councillor Lewis, approves additional distributions of 2012 county option income tax money to the Public Safety Communications General Fund and the Indianapolis-Marion County Public Library; and reinstates the 2013 Budget allocation of \$31,767,652 of

county option income tax money to the County General Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:09 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Hickman, for adoption. Proposal No. 448, 2012 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley

0 NAYS:

1 ABSENT: Cain

Proposal No. 448, 2012 was retitled FISCAL ORDINANCE NO. 2, 2013, and reads as follows:

CITY-COUNTY COUNCIL FISCAL ORDINANCE NO. 2, 2013

A PROPOSAL FOR A FISCAL ORDINANCE approving additional distributions of 2012 county option income tax money to the Public Safety Communications General Fund and the Indianapolis-Marion County Public Library; and amending Sections 2.02(a) and 4.03(e) of the City-County Annual Budget for 2013 (City-County Fiscal Ordinance No. 36, 2012) by reinstating the allocation of \$31,767,652 of County Option Income Tax money to the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Due to an error by the state in the calculation of County Option Income Tax (COIT) revenue for 2012, the City-County received an increase in the disbursement of COIT revenue compared to the amount of COIT revenue anticipated in the City-County Annual Budget for 2012 (City-County Fiscal Ordinance No. 12, 2011).

SECTION 2. Pursuant to Special Ordinance No. 6, 2011 (Proposal No. 194, 2011), the Council approved a certified distribution of COIT revenue, not to exceed \$8.7 million, to the Public Safety Communications General Fund for 2012.

SECTION 3. In order to carry out the intent of the Council as expressed in Special Ordinance No. 6, 2011, the Council hereby approves, *nunc pro tunc*, an additional distribution of COIT revenue for 2012 to the Public Safety Communications General Fund, in the amount of One Hundred Forty-Nine Thousand Seven Hundred Two Dollars (\$149,702.00).

SECTION 4. The council also intended for the Indianapolis-Marion County Public Library (Library) to receive a certified distribution of COIT revenue for 2012 in the amount of one-tenth of one percent of the total COIT revenue received. In order to carry out that intent, the Council hereby approves, *nunc pro tunc*, an additional distribution of COIT revenue for 2012 to the Library, in the amount of Nineteen Thousand Three Hundred Eighteen Dollars and Ten Cents (\$19,318.10).

SECTION 5. Section 2.02(a) of the of the City-County Annual Budget for 2013 is hereby amended by reinstating the allocation of \$31,767,652 to the County General Fund between January 1, 2013 and December 31, 2013 from County Option Income Taxes, and making the corresponding adjustments to the total allocations of miscellaneous revenues from sources other than property taxes to the County General Fund.

SECTION 6. Section 4.03(e) of the City-County Annual Budget for 2013 is hereby amended by reinstating the following language as passed by the Council:

1. To the County General Fund, the sum of: Thirty-one Million Seven Hundred Sixty Seven Thousand Six Hundred Fifty Two Dollars (\$31,767,652).

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 449, 2012. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 449, 2012 on December 18, 2012 and January 15, 2013. The proposal, sponsored by Councillor Lewis, reinstates the language in the 2013 Budget allocating

and appropriating excess revenues to the city and county rainy day funds. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Mansfield moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 449, 2012 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
1 ABSENT: Cain

Proposal No. 449, 2012 was retitled FISCAL ORDINANCE NO. 3, 2013, and reads as follows:

CITY-COUNTY COUNCIL FISCAL ORDINANCE NO. 3, 2013

A PROPOSAL FOR A FISCAL ORDINANCE amending Section 8.02 of the City-County Annual Budget for 2013 (City-County Fiscal Ordinance No. 36, 2012) to reinstate the language allocating and appropriating excess revenues to the city and county rainy day funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 8.02 of the City-County Annual Budget for 2013 is hereby amended to reinstate the following language as passed by the Council:

In the event that actual collected revenue amounts exceed the estimated revenues contained herein, any additional amounts received shall be hereby allocated and appropriated to the County Rainy Day Fund and the City Rainy Day Fund in proportionate shares, except as otherwise prohibited by law.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 19, 2013. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 19, 2013 on January 16, 2013. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$960,000 in the 2013 Budget of the Marion County Sheriff (MECA General Fund) to cover the AT&T contract for the E911 telephone system, funded by a transfer of revenue from the Metro Emergency Communications Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:13 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal No. 19, 2013 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
0 NAYS:
1 ABSENT: Cain

Proposal No. 19, 2013 was retitled FISCAL ORDINANCE NO. 4, 2013, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 2013

A FISCAL ORDINANCE amending the City-County Annual Budget for 2013 (City-County Fiscal Ordinance No. 36, 2012) by appropriating Nine Hundred Sixty Thousand dollars (\$960,000) for E911 telephone services.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2013 be, and is hereby, amended by the increases hereinafter stated for purposes of the following departments and agencies, as listed in Section 3.

SECTION 2. Transfers \$960,000 of revenue from the Metro Emergency Communications Fund (fund 15651) to the MECA General Fund (fund 20152).

SECTION 3. Appropriates \$960,000 for the Marion County Sheriff's Office, from the MECA General Fund (fund 20152) to cover the costs of the ATT contract for emergency E911 telephone services. The following changes to appropriations are hereby approved:

<u>COUNTY AGENCY</u>	<u>Fund</u>	<u>char 1</u>	<u>char 2</u>	<u>char 3</u>	<u>char 4</u>	<u>char 5</u>	<u>NET TOTAL</u>
Marion County Sheriff's Office	MECA General (20152)			960,000			960,000

SECTION 4. Upon Approval of this and other pending approvals, the following unappropriated fund balances are projected to remain:

	Projected 2012 year-end balance	Projected 2013 year-end balance
Metro Emergency Communications Fund	\$0	\$4,176
MECA General Fund	\$0	\$1

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 23, 2013. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 23, 2013 on January 15, 2013. The proposal, sponsored by Councillors Lewis, McQuillen and Brown, amends the Code to increase the County Admissions Tax from six (6) percent to ten (10) percent. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray asked if this will affect the Indianapolis Indians. Councillor Mansfield answered in the affirmative. Councillor Gray asked why they would want to tax the Indians, as they have never come before this body asking for anything, and this is an additional hardship. Councillor Mansfield said that she is on the fence regarding this matter, because she does believe additional dollars are needed during sporting events for public safety, but there has been a lot of spin that non-Marion County people will be taxed, but County residents will also have to pay. She said that over the weekend they learned that the Pacers had an \$11 million profit, yet the Capital Improvement Board (CIB) gave them \$10 million in a loan. She said that she cannot justify this and does not believe this cost should continue to be on the backs of the citizens and she cannot support the proposal.

Councillor Gray said that the same thing happened with the county option income tax (COIT) increase, but the money came in and it never got to public safety or went toward hiring new police officers. He said that they are now back again for more funds, but there is no guarantee about how it will be used, and it seems strange selling this as a public safety tax, as opposed to what it really is.

President Lewis asked Fred Biesecker, General Counsel, to speak to the memorandum of understanding (MOU) that was signed. Mr. Biesecker said that a public safety support agreement was received this evening that lays out how the money will be paid to the City from the CIB.

Councillor Hickman said that this is a difficult position to be in. She said that the administration originally proposed a homestead tax on every homeowner, which she could not support. Now this is proposed as an opportunity to fill back up county entities to a level of funding before their spending was cut, and democrat officials are told they have no choice because if they do not do this, there will be no money for the county officials or for public safety. She said that she does not want to raise any fee or impose any tax, but this is the only alternative. She said that she will probably vote for this, but she has a strong feeling that a better idea could have been found. She asked the public to please understand that she requested other ideas or alternatives to be found, but none were forthcoming.

Councillor Scales said that she did offer other ideas to the Council leadership and the administration on the 25th floor, such as special events user fees, which would be more comprehensive than the taxes offered this evening, as well as more long-range and not just a stop-gap measure. This would continue to bring revenue into the City, and she will continue to push for it. She said that she does not believe there is ever only one solution, and they should always have a Plan B, and she believes there are other alternatives.

Councillor Mascari said that the Mayor and his cohorts are holding \$32 million of the County budget hostage unless they approve his budget.

Councillor Miller said that one thing he likes about the way this is structured is that \$2 of every \$1 of revenue raised by the increase will be saved in city efficiencies. He said that Councillor Hunter made a good point in committee that all police officers outside of these events handling the extra traffic and crowds are not being paid for by these venues. He said that he believes the teams could offer to pay these fees for public safety instead of passing this increase onto attendees.

Councillor Lutz said that these taxes make him want to throw up. He said that he will vote for it because it is a user fee only on those people attending, and not on everyone, but he still does not like it. He said that he also agrees with the comments regarding this affecting Indians' fans, as that causes him concern, when they do not come to the Council asking for anything.

Councillor Hunter said that this is indeed a bad situation, and leads to a fundamental issue regarding funding public safety. He said that he has been to a couple of SuperBowl games, and although this city pays for public safety at such events, other cities do not. He said that they have no authority over the homestead credit, though, and this is the subsidy they do have authority over. He said that they still need to address this subsidy, and it is a tough decision and is not what he thinks the General Assembly intended, and he hopes relief is coming from the other end of Market Street.

Councillor Pfisterer said that they are all being held hostage by the economy. To deliver services to the citizens who deserve them, they have to have revenue to support it, and they must provide public safety.

Councillor Mahern said that he requested information from the Mayor's Office and the CIB about who did not pay taxes. Whether or not this passes, the Colts and Pacers are still Indiana teams.

He said that he advocated for another solution. The CIB had money and paid it to the Pacers, and now the entity that had money still has money and will get three quarters of a tax increase that makes it harder for residents to see sports games. He said that he is not surprised, as the CIB has been playing this game for years. He said that Councillor Hunter spoke about the homestead credit being a subsidy, but he does not view it as a subsidy to encourage people to own a home in Marion County, and they might be interested in who pays the existing tax. He said that constituents will have a harder time affording attending a game, and they deserve better. He moved to postpone Proposal No. 23, 2013. The motion failed for lack of a second.

The President called for public testimony at 8:34 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor McQuillen, for adoption. Proposal No. 23, 2013 was adopted on the following roll call vote; viz:

16 YEAS: Barth, Brown, Gooden, Hickman, Holliday, Hunter, Lewis, Lutz, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Shreve, Talley
12 NAYS: Adamson, Evans, Freeman, Gray, Mahern, Mansfield, Mascari, McHenry, Oliver, Sandlin, Scales, Simpson
1 ABSENT: Cain

Proposal No. 23, 2013 was retitled GENERAL ORDINANCE NO. 1, 2013, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 2013

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to increase the County Admissions Tax from six (6) percent to ten (10) percent.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 121-202 of the "Revised Code of the Consolidated City and County," regarding the County Admissions tax, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 121-202. County admissions tax.

(a) The county admissions tax as provided in IC 6-9-13 is hereby adopted by the city-county council for and on behalf of Marion County, and such tax is hereby imposed on the privilege of attending, before January 1, 2041, any event and, after December 31, 2040, any professional sporting event as defined and limited in IC 6-9-13-1 ~~(as amended by H.E.A. 1120)~~.

(b) ~~After June 30, 2005, the~~ The county admissions tax rate established in IC 6-9-13-2 ~~(as amended by H.E.A. 1120 of the 2005 Regular Session of the Indiana General Assembly)~~ is hereby increased from ~~five (5)~~ six (6) percent to ~~six (6)~~ ten (10) percent. This increase takes effect in accordance with IC 6-9-13-2(c)(2).

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 24, 2013. Councillor Mansfield reported that the Administration and Finance Committee heard Proposal No. 24, 2013 on January 15, 2016. The proposal, sponsored by Councillors Lewis, McQuillen and Brown, amends the Code to increase the County Supplemental Auto Rental Excise Tax from four (4) percent to six (6) percent. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Hickman said that this is the same as the last proposal, and the Mayor has threatened that if it does not pass, he will veto the money that was reinstated to the County agencies; and this is therefore the only alternative the Mayor has provided.

Councillor Lutz said that he likes this tax less than the last one, and they need to determine what is the best mix of taxes for the County, given the local economy. He said that they were told this would amount to only about \$5 per year per individual, but they make these predictions every time a fee or tax is raised. He said that the stormwater fee will be raising next year, and insurance companies do not have to pay, but citizens taking a vacation will have to. He asked what this will do to businesses on the County line, who cannot compete with those competitors across the street who do not impose this tax. He said that to do this at the last minute with no proper study or no concern for those businesses is not the way it should be done. He said that they have not studied the consequences, and he urged his colleagues to oppose the measure.

Councillor Hickman said that she believes every Councillor on this floor feels the pain of this action, but if it does not pass, they will have vetoes that make funding scarce for County agencies. She said that it would have been wonderful to have other options, but the Mayor did not give them other options.

Councillor Miller said that he got a lot of statistics from rental car companies, and 40% of rentals are from local folks. He said that he wishes they had more time to seriously consider this. He said that this is not a huge increase to an average family for an average rental, but he does not know what other options they have, as they have to pay for the police. He said that he asked people to call him with ideas, and he got one call from a Colts fan and three from rental car companies, but no calls from rental car users. He said that it does not seem it will have that great an impact. It will have a bigger impact on airport rentals, however, and is an incredibly difficult decision.

Councillor Mansfield echoed Councillor Lutz's comments and said that it does not seem that the CIB needs these funds for this purpose. She said that this will primarily impact Marion County citizens, and this was the Mayor's hairbrained idea to deal with keeping \$32 million hostage. She said that this is a small amount of revenue compared to the \$32 million that needs reinstated, so she does not see a match. She said that this will impact people at lower incomes who do not have a vehicle and have to rent frequently or rent a car for a long trip because their own car has mechanical issues. She said that this is not fair to citizens and if this vote should fail, she does not feel it should jeopardize the \$32 million going back into the County budgets.

Councillor Scales said that she is more concerned about the impact this will have on small businesses, not allowing them to stay competitive with outlying counties or travel websites comparing the best rates. She said that in this economy, every dollar counts, and customers will go with the lower priced option. She said that small businesses and their employees will bear the brunt of this tax abuse, even though their value is immeasurable to this county. She said that she takes issue with others saying they have no options. They are giving over \$30 million to a private employer and company that is doing well with over \$11 million in profits, but not helping small

businesses. The Simons bought the Pacers for \$12 million and they are now worth \$380 million. No one wants to see the Pacers leave, she said, but an alternative needs to be explored.

The President called for public testimony at 8:54 p.m.

Charlie Mahlon, Ace Rent a Car, said that they have offices in 21 states and 14 countries, and he is headquartered in Marion County. This will take the local tax from 15 to 17% and 26.1 to 28.1% at the airport. They are already ranked number eight in travel taxes, and adding this 2% goes the wrong direction and hurts local residents. He said that a little over 70% of the tax estimate will be coming from the airport, while the other 30% will come from Marion County residents. He said that if they could find a way to just tax the visitors and not the citizens, it would be better, as this is just too much.

Phil Spinkle, auto rental company representative, said that his is a local business with 31 locations in Marion County, and they focus on local residents and have only one location at the airport. He said that this increase will make them the sixth highest tax in the country and will have a big effect on convention bookings.

Councillor Adamson said that he appreciates the car rental companies coming and sharing their thoughts, and he appreciates Councillor Scales' comments regarding the effect on small businesses. These costs are not passed to the car rental companies, but to the consumers. When he has had to use a rental car, his insurance company dealt with the rental car company, but they also will pass those costs along to their customers.

Councillor Lutz said that insurance companies will not have to pay this tax, they are exempted. He said that he take exception to the comments regarding the Council being held hostage. There was a proposal during the budget process to eliminate the homestead credit, where no one would pay more than a 1% increase and a subsidy would be eliminated, but it was shot down by this Council. The administration has offered other options and were told what would happen if these options were not considered. Councillor Brown called for a point of order and said that Councillor Lutz is not addressing the proposal but is filibustering. Councillor Lutz said that he is responding to comments made by his colleagues and explaining that there were other options, with people being taxed less than 1% on their homes with that elimination.

Councillor Pfisterer said that to clarify, \$11 million was given to the Pacers, and Bankers Life Fieldhouse is a city-owned property, and it takes a chunk of change to run that building. As they make these decisions, they need to balance the interest of the individual versus the interests of the county as a whole, and this is a tough decision that each has to come to in their own way.

Councillor McHenry said that these are city-owned properties, but they have to think about what would happen in case of a disaster, like a tornado taking the roof off the Bankers Life Fieldhouse or Lucas Oil Stadium. They have to look out for these kinds of emergencies, also.

Councillor Adamson said that these properties should all be insured. Dan Huge, Chief Financial Officer, CIB, stated that they are all insured.

Councillor Mahern asked if they really need this much money. He said that only in government do they have the attitude that they spend to the max. He said that many residents have to choose between what they want and what they actually need, and government is faced with that same choice. He said that their constituents have chosen them to speak for them, but it lacks compassion for those same constituents to pass these taxes, when they have not tried hard enough

to solve the problems some other way. The CIB has plenty of money, even after giving the Pacers money; and they are continuing to feed the monster.

Councillor McHenry said that they may have insurance, but if a disaster were to happen, they would have to make repairs right away and could not wait for insurance payments to come in.

Councillor Gray moved, seconded by Councillor McQuillen, to call the question and end debate. Debate was ended on the following roll call vote; viz:

21 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson, Talley

7 NAYS: Brown, Hunter, Lutz, Mahern, McHenry, Sandlin, Scales

1 ABSENT: Cain

Councillor Moriarty Adams moved, seconded by Councillor McQuillen, for adoption. Proposal No. 24, 2013 was adopted on the following roll call vote; viz:

16 YEAS: Barth, Brown, Freeman, Gooden, Hickman, Hunter, Lewis, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Shreve, Talley

12 NAYS: Adamson, Evans, Gray, Holliday, Lutz, Mahern, Mansfield, Mascari, Oliver, Sandlin, Scales, Simpson

1 ABSENT: Cain

Proposal No. 24, 2013 was retitled GENERAL ORDINANCE NO. 2, 2013, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 2, 2013

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to increase the County Supplemental Auto Rental Excise Tax from four (4) percent to six (6) percent.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 121-203 of the "Revised Code of the Consolidated City and County," regarding the county supplemental auto rental excise tax, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 121-203. - County supplemental auto rental excise tax.

(a) The county supplemental auto rental excise tax as provided in IC 6-6-9.7 is hereby adopted by the city-county council for and on behalf of Marion County, and such tax is hereby imposed on those transactions described in IC 6-6-9.7-7.

(b) ~~After June 30, 2005, the~~ The county supplemental auto rental excise tax rate established in IC 6-6-9.7-7 ~~(as amended by H.E.A. 1120 of the 2005 Regular Session of the Indiana General Assembly)~~ is hereby increased from ~~two (2)~~ four (4) percent to ~~four (4)~~ six (6) percent. This increase takes effect in accordance with IC 6-6-9.7-7(g).

(c) If on December 31, 2027, there are obligations owed by the capital improvement board of managers to the Indiana stadium and convention building authority or any state agency under IC 5-1-17-26, the original two (2) percent rate continues to be levied after its original expiration date set forth in subsection (e) of this section and through December 31, 2040; and

(d) The increase in the tax rate authorized under this section expires on:

(1) January 1, 2041;

(2) January 1, 2010, if on that date there are no obligations owed by the CIB to the Authority or to any state agency under IC 5-1-17-26; or

- (3) October 1, 2005, if on that date there are no obligations owed by the CIB to the authority or to any state agency under a lease or a sublease of an existing capital improvement entered into under IC 5-1-17, unless waived by the director of the state budget agency.

- (e) The county supplemental auto rental excise tax shall expire on December 31, 2027.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 291, 2012. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 291, 2012 on October 22, November 26 and December 10, 2012 and January 14, 2013. The proposal, sponsored by Councillors Barth, Talley, Gray, Gooden and Simpson, approves an amendment to the declaratory resolution and development plan for the North Midtown Economic Development Area. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Scales said that another proposal like this was offered that did not pass and she is appalled at the hypocrisy displayed by the democrat caucus. She said that they voted in favor of a Midtown Tax Increment Financing (TIF) district, when that area is already affluent and well developed and can easily attract investment. She said that this is not needed, particularly in comparison to another area that meets all the criteria for having a TIF put in place. She said that this gives the “haves” more and the leaves the “have nots” with nothing. She said that she cannot support something that gives more to people who already have so much, when this body would not even consider giving something to those who have nothing. She said that there is a serious problem with disparity here.

Councillor Adamson moved, seconded by Councillors Brown and Mahern, to amend Proposal No. 291, 2012 to take the Broad Ripple Parking Garage out of the deal. He said that if they leave this project in, it would take 22 years to break even on this investment before they realize any return. If the project is left out, they would bring in \$8.5 million and could reinvest in other areas that need it, like the Meadows.

Councillor Barth said that Councillor Scales misunderstands this proposal dramatically. He added that this amendment came up in committee, and the Broad Ripple parking garage issue had people both supporting and opposing it at that hearing. He said that this investment has occurred. He did not support it at that time, but now, they are able through inclusion to take that investment and turn it into an investment in the community, with a coordinated impact that will benefit the entire district. He said that these neighborhoods have been overwhelmed with crime and abandoned housing because of the significant lack of investment. Supporting this will compound the investment to cascade across the entire TIF area. The reality is that a tiny amount is coming

out of the garage, yet this will empower them to have big investment in the neighborhood. He said that \$193,211 is a very small amount, but equals close to \$4 million of investment, that will help turn parts of this district around that have lacked investment for many years. He said that he opposes the amendment.

Councillor Mahern said that this project has much merit, except for this small piece of including an existing property into this. He said that this will not fail or succeed based on this \$193,000, but it will succeed or fail based on continued efforts.

Councillor Adamson said that the cardinal rules about the TIF are that it only consumes what it creates. He said that he can only support it if that is removed, and leaving it in does a disservice to the citizens of Marion County.

The motion to amend failed on the following roll call vote; viz:

6 YEAS: Adamson, Brown, Evans, Mahern, Oliver, Scales

22 NAYS: Barth, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Talley

1 ABSENT: Cain

Councillor Barth asked those in attendance to support this proposal to stand and be recognized. He said that they have been meeting on this issue for an entire year, and the proposal has many merits.

Councillor Hunter said that Councillor Barth has done an excellent job putting this together and he appreciates his work. While Councillor Scales has made some good points, the work done on this particular proposal has been great. He said that they need to visit the issue of TIF designations on the basis of the city as a whole, but he supports this proposal.

Councillor Gooden thanked everyone on behalf of MidNorth TIF, and said that this was a big idea that was well-thought out. He said that they should be applauding those involved across the board, as it was active citizenry at its finest, engaged to make a difference. He said that he is not trying to pit one area of the city against another, but they should not punish one group of citizens who have worked hard to make this happen, not just with the garage, but from Fall Creek all the way down to 38th and Illinois. He said that they have been screaming for urban development and redevelopment. He said that if everyone could see the passion and thoughtfulness with which these folks have acted, they would know they will not fail.

Councillor Mahern said that it is tragic that the folks who have worked hard on this meritorious project deserve not to have it tainted by the inclusion of the garage. Because of that, he must oppose it with a heavy heart, and he fears they may be the last group to get a TIF designation, because including prior projects makes it harder to do TIFs where they are really needed. He said that this is not being done properly.

Councillor Oliver asked how far south this goes. Councillor Barth said that it goes from 62nd Street to Fall Creek, College in business nodes, and then juts across Meridian to Illinois to include the 38th Street and Illinois Avenue business district. Councillor Oliver asked if it includes 30th and Central and the Mapleton Fall Creek area. Councillor Barth responded in the affirmative. Councillor Oliver said that the people in that area will be well served and he hopes they can carry it out, as the neighborhood has great expectations.

Councillor Gray said that he represents a large portion of this TIF on the southwest corner and the business people in that area are very excited. At one time the area around 38th and Illinois was a very vital area, and they are excited about bringing that back. He encouraged his colleagues to support the proposal.

Councillor Gooden said that the Broad Ripple Village Association has been screaming for this for 30 years. The garage is necessary from a public safety standpoint and the continuation of businesses, and including it is a way to double-down to create an economic benefit for the whole district.

Councillor Robinson moved, seconded by Councillor Gooden, for adoption. Proposal No. 291, 2012 was adopted on the following roll call vote; viz:

23 YEAS: Barth, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson, Talley
5 NAYS: Adamson, Brown, Holliday, Mahern, Scales
1 ABSENT: Cain

Proposal No. 291, 2012 was retitled GENERAL RESOLUTION NO. 1, 2013, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 2013

PROPOSAL FOR A GENERAL RESOLUTION approving an amendment to the declaratory resolution and development plan for the North Midtown Economic Development Area in the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Redevelopment Commission of the City of Indianapolis, Indiana under Indiana Code § 36-7-15.1 (the "Act"), and in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, the Commission previously adopted and confirmed a resolution (the "Declaratory Resolution") establishing an economic development area known as the "North Midtown Economic Development Area" (the "Economic Development Area"), and adopting a development plan for the Economic Development Area; and

WHEREAS, the Commission, pursuant to the Act, adopted Resolution No. 2012-R-030 on July 18, 2012 (the "Amending Resolution") amending the Declaratory Resolution to designate a portion of the Economic Development Area as the North Midtown Allocation Area; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 9 of the Act, the City-County Council of the City of Indianapolis and of Marion County, Indiana hereby approves the Amending Resolution.

SECTION 2. The "Midtown Economic Council," composed of representatives of the Butler Tarkington Neighborhood Association, the Meridian-Kessler Neighborhood Association, the Broad Ripple Village Association, Midtown, Inc., and the Mapleton-Fall Creek Community Development Corporation, will make recommendations to the Metropolitan Development Commission regarding projects to be funded in the North Midtown Allocation Area.

SECTION 3. This Resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16. This Resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 429, 2012. Councillor Barth reported that the Community Affairs Committee heard Proposal No. 429, 2012 on December 12, 2012 and January 9, 2013. The proposal, sponsored by Councillors Pfisterer, Scales, Moriarty Adams and Hickman, approves the Mayor's establishment of a charter school, "Excel Center Lafayette Square" by issuing a charter to Goodwill Education Initiatives, Inc. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Hickman said that she was not at the meeting, but she is in favor of having the community have more input and control over the education process. It is important to not have an entity coming from out of state running local schools, and she supports the proposal.

Councillor Oliver said that there seems to be a proliferation of charters and all these mass issuances of charters is treading on dangerous ground. He said that he supports the NAACP findings regarding too many charters without enough oversight and transparency, and therefore, he opposes the proposal.

Councillor Hunter said that he cannot speak to the NAACP's findings because he has not seen them, but he disagrees and thinks they should bring along even more charters. He said that charters create even more transparency and oversight than most school boards, and more choices make education better and produce more college graduates who come back to be a part of the community. He said that school choice is important and he supports charters.

Councillor Miller said that his son attends Indianapolis Public Schools (IPS), his wife taught at IPS, and he is a fan of IPS, and it needs to be successful. However, all of these charters are going into areas that have a need, either with no school or underperforming schools. He said that some of these decisions have been delayed, and they are working with the deputy mayor to make sure they get informed earlier in the process. He said that there was incredible testimony from the existing schools and the community expressing their excitement about getting the school. He said that he takes each of these charters on their own merit, and to blanketly disagree with them because they do not like the concept does not make sense. He said that this is an important vote for the kids.

Councillor Mahern asked if these applications compete with IPS. Brandon Brown, director of charter schools, stated that this charter's intent is to target students left without a degree and guide them in getting a full high school diploma. He said that 90% of all Excel students are 18 or over. Councillor Mahern said that he has been critical of some charter applications, but he supports this one, as it is serving an underserved population. He added that they have to be critical to make sure these charters are meeting the needs.

Councillor McHenry asked if there is an age limit, and how old a student can be before they can no longer attend public high school. Mr. Brown said that Indiana has no upper age limit, and every school has their own policy, but the state does not mandate an overall age limit. Councillor McHenry said that she thought there was an age limit, at least with special needs children. Mr. Brown said that there is no real age limit, but federal funding for special needs caps out at age 22. Councillor McHenry said that this population definitely needs an option, and she supports the proposal.

Councillor Oliver asked if they target locating charters next to failing schools. Councillor Barth said that this is not located next to any school. Mr. Brown said that there are a lot of driving factors in choosing a facility, but there is no intent to locate a charter next to a failing school. Councillor Oliver asked if there are failing schools north of 46th Street and south of Raymond.

Mr. Brown responded in the affirmative. Councillor Oliver asked if there are any charters in this area. Mr. Brown said that there are. He added that there is no incentive in the state funding formula to locate in that area, and it is more challenging to operate a charter outside of Center Township.

Councillor Gray asked if there is a charger in the mall at Lafayette Square. Mr. Brown said that there is one in the old Kroger building in the Lafayette Square area that is being considered in negotiations on West 38th Street near Eskenazi Health.

Councillor Talley asked if there are disparities in funding based on location. Mr. Brown said that the state is trying to get more dollars into the low income communities, and therefore charters more easily receive funding in Center Township. He said that he will follow up with Councillor Talley more on this issue.

Councillor Mansfield said that there are a lot of reasons education gets put on hold, and this shows great perseverance for individuals to go back and get their degree and she supports this charter's efforts.

Councillor Adamson said that they received amazing testimony in committee and he supports charters, even though there is an inequity in the funding mechanism for which he has grave concerns. He said that they need to look further at this inequality, as there are other schools outside of Center Township that could benefit from successfully modeled schools, and a proliferation of schools in Center Township does a disservice to IPS. Mr. Brown said that they would love to be engaged in that conversation.

Councillor Barth moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 429, 2012 was adopted on the following roll call vote; viz:

26 YEAS: Adamson, Barth, Brown, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 NAYS: Evans, Oliver
1 ABSENT: Cain

Proposal No. 429, 2012 was retitled COUNCIL RESOLUTION NO. 28, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 2013

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "Excel Center Lafayette Square" by issuing a charter to Goodwill Education Initiatives, Inc.

WHEREAS, the Mayor is authorized by IC 20-24 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-24-3-5 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to Goodwill Education Initiatives, Inc. for a charter school named "Excel Center Lafayette Square"; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "Excel Center Lafayette Square" by issuing a charter to Goodwill Education Initiatives, Inc.

SECTION 2. This resolution shall be in full force and effect from and after passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 430, 2012. Councillor Barth reported that the Community Affairs Committee haerd Proposal No. 430, 2012 on December 12, 2012 and January 9, 2013. The proposal, sponsored by Councillors Moriarty Adams, Pfisterer and Hickman, approves the Mayor's establishment of a charter school, "Indiana Math and Science Academy - South" by issuing a charter to Indiana Math and Science Academy South Indianapolis Charter School, Inc. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mascari said that this is in his district and is taking a school building that has been vacant for years and making it a school again, and he asks for the support of his fellow Councillors.

Councillor Robinson said that he was the solo "no" vote on the next three proposals and echoes Councillor Oliver and Evans' comments reagarding the oversight of charters and the need for a moratorium.

Councillor Miller commended the response to community outreach and engaging Councillors in the process and discussions earlier. He said that the response to this school was amazing, and they met with all community leaders, provided invitations for parents, and it is impossible to explain the joy of the community around this school. He said that each charter needs to be judged on its own merit, and the community is asking for this and ecstatic about it, and he does not understand anyone who would not support it.

Councillor Hickman said that she was greatly impressed with the student body and the teachers, and this school is under their review and the parents in this neighborhood want this school.

Councillor Adamson said that after the meeting, he had a chance to visit their north school, and it is important to point out how well adjusted and happy those kids seemed at school. He said that the Mayor's Office has done a tremendous job allocating charters and keeping tabs on them, and it would be a disservice to categorically impose a moratorium.

Councillor Barth said that he also took a tour of the north campus and was surprised at the integration of technology and the processes in place where teachers get real-time feedback on performance. He said that this is a very creative approach to education.

Councillor Mahern said that he does not universally support or oppose charters, but there are some things wrong with the way this City does charters. He supports this particular proposal, because this has merit, but there will be a proposal forthcoming to look at the process of issuing charters to better understand it and to understand the impact it has on IPS.

Councillor Barth moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 430, 2012 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Barth, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Sandlin, Scales, Shreve, Simpson, Talley
4 NAYS: Evans, Lewis, Oliver, Robinson
1 NOT VOTING: Brown
1 ABSENT: Cain

Proposal No. 430, 2012 was retitled COUNCIL RESOLUTION NO. 29, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 2013

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "Indiana Math and Science Academy - South" by issuing a charter to Indiana Math and Science Academy South Indianapolis Charter School, Inc.

WHEREAS, the Mayor is authorized by IC 20-24 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-24-3-5 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to Indiana Math and Science Academy South Indianapolis Charter School, Inc. for a charter school named "Indiana Math and Science Academy - South" ; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "Indiana Math and Science Academy - South" by issuing a charter to Indiana Math and Science Academy South Indianapolis Charter School, Inc.

SECTION 2. This resolution shall be in full force and effect from and after passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 432, 2012. Councillor Barth reported that the Community Affairs Committee haerd Proposal No. 430, 2012 on December 12, 2012 and January 9, 2013. The proposal, sponsored by Councillors Adamson, Moriarty Adams, Pfisterer, Hickman and Cain, approves the Mayor's establishment of a charter school, "VBP Indy, Inc." by issuing a charter to VBP Indy, Inc. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Robinson said that he asked if there were any latino students at Cathedral and there was no response to that question. Marty Dezelan, president of VBP Indy, said that about 2% are latino. He said that this is an incubation school, and Cathedral has invested \$85,000 in training on a new leader for charter schools that have large hispanic populations, like in Los Angeles or Houston. He said that they gave him space to develop the school and learn from schools across the country. He said that they want to identify opportunities for tutoring and coaching, not to pretend that they have the solution for all latino students, but to put their money where their passion is. Councillor Robinson asked what the make-up of the staff is. Mr. Dezelan said that they hope it will be significantly latino and bi-lingual. They have received resumes from several bi-linguals, and it is a struggle to recruit such individuals, but the thinks they will be able to do so judging from the response to date.

Councillor Hickman said that she was an educator earlier in her career and she would like to see not as many charters brought to them all at once, because she likes to be thorough and check them all out. She said that she would prefer quality over quantity.

Councillor Evans said that as the father of three boys, his main goal is that his kids have a good education, and he cannot be upset with parents wanting their kids to have the same. However, as an elected official, he also has to look at the bigger issue and not every student who attends a charter is graduating, and there are some failing charters. He said that he asked for information from Mr. Kloth in writing and he responded to his questions. He said that he also asked for a moratorium on charters so that they could look at the total picture as to what is happening with students, teachers and the community.

Councillor Miller acknowledged Carole Craig and the NAACP study. He said that he thinks their questions are valid and each school needs to be judged on its own merit. He said that he would like to see the process be a little more responsive and informative next year.

Councillor Barth agrees that they need to be asking tough questions and make sure the oversight process is sufficient, and that is the value of the Council overseeing the Mayor's charter process. He said that there are other charter authorizers that start up charters without any public input, and it is critical for the City's process to work well, even when others' do not.

Councillor Pfisterer said that there is a definite need in the community to deal with the language barrier, and there is heavy turnover in every school. She said that beyond Mr. Kloth's office, staff oversight, and Council approval, each of these charters also has a board for oversight. She said that she supports the proposal.

Councillor Adamson said that what really attracted him to this proposal is that it is filling a void that is desperately needed, and he enthusiastically supports it.

Councillor Oliver asked about the breakdown of students in Marion County and what school districts they are from. Mr. Brown said that he does not have that information off-hand but can get it for Councillor Oliver, but he believes a majority come from IPS. Councillor Oliver said that the concentration of charters in Center Township is dismantling IPS, and he asked what the dollar value is. Mr. Brown said that the state dictates how much each district gets and he will have to get that information for Councillor Oliver.

Councillor McHenry said that these charters are each meeting a special need, from targeting dropouts, math and science interests, and language barriers. She urged her colleagues to support the proposal.

Councillor Pfisterer said that this is not a deliberate attempt to dismantle IPS. Parents simply want to be able to choose a place where they feel their kids can get the best education possible, and it is not in support of a particular administration.

Councillor Barth moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 432, 2012 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Barth, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Sandlin, Scales, Shreve, Simpson, Talley
5 NAYS: Brown, Evans, Lewis, Oliver, Robinson
1 ABSENT: Cain

Proposal No. 432, 2012 was retitled COUNCIL RESOLUTION NO. 30, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 30, 2013

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "VBP Indy, Inc." by issuing a charter to VBP Indy, Inc.

WHEREAS, the Mayor is authorized by IC 20-24 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-24-3-5 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to VBP Indy, Inc. for a charter school named "VBP Indy, Inc."; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "VBP Indy, Inc.", by issuing a charter to VBP Indy, Inc.

SECTION 2. This resolution shall be in full force and effect from and after passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 433, 2012. Councillor Barth reported that the Community Affairs Committee haerd Proposal No. 430, 2012 on December 12, 2012 and January 9, 2013. The proposal, sponsored by Councillors Pfisterer, Moriarty Adams, Hickman and Cain, approves the Mayor's establishment of a charter school, "Vision Academy" by issuing a charter to Challenge Foundation Academy, Inc. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mahern said that he does not really get a good sense of why this charter is unique or what unserved population it addresses. Charlie Schlagel, Vision Academy, said that this is a core knowledge program geared toward underperforming students who are not succeeding. It is also in an area that is underserved in Riverside. Councillor Mahern said that IPS and the township schools are doing the same thing, and he asked if this is just a geographical approach. Mr. Schlagel said that they feel there are not enough great schools with college preparatory education available in this area.

Councillor Gray asked where this is located. Mr. Schlagel said that it is at 18th and E. Riverside near Kuntz Stadium.

Councillor Hickman said that she is not in favor of eliminating IPS, but this is another school that the community wants.

Councillor Oliver asked about the exact location and if it is Parks Department property. Mr. Schlagel said that the area is the southeast corner in a parking lot area along Kuntz Stadium that

they are talking to the Parks Department about. Councillor Oliver asked if School No. 44 in that area is a failing school and that is why they chose that area. Mr. Schlagel said that it is, and they looked at eight schools serving that area, and the average SAT scores were 44%.

Councillor Adamson said that what makes this proposal appealing is the innovative approach and successful record with the Challenge Academy. This purpose was shown at the committee hearing.

Peggy Gamlin, president, Riverside Civic League, said that School No. 44 is a failing school, and Dr. White came to the school in October about converting it to a Montessori School. School 67 moved into School 44, and it will no longer look like it does today. IPS has mini magnet schools, but School 44 will be dissolved and transitioned, and parents with a fourth grader cannot enroll, as they have to enter at kindergarten and first grade levels. She said that the parents in this area are excited at this model of the Challenge Academy, and they should let families still feel a part of the community in helping to make these kinds of decisions.

Councillor Miller said that this is not a partisan thing, and is something good for the kids, as these charters are incubators of innovation. He said that they are not simply putting schools into place to draw kids away from IPS, but are trying to meet additional needs.

Councillor Osili said that a town hall meeting was held to discuss this charter, and they voted unanimously for the school to come to the neighborhood. He said that he is a product of IPS and son and grandson of IPS teachers, and he appreciates the work they do. He said that he also supports what Vision Academy is bringing to the Riverside area.

Councillor Simpson moved, seconded by Councillor McQuillen, to call the question and end debate. Debate was ended on the following roll call vote; viz:

24 YEAS: Adamson, Barth, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Lewis, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley
2 NAYS: Lutz, Oliver
2 NOT VOTING: Brown, Gray
1 ABSENT: Cain

Councillor Barth moved, seconded by Councillor McQuillen, for adoption. Proposal No. 433, 2012 was adopted on the following roll call vote; viz:

22 YEAS: Adamson, Barth, Freeman, Gooden, Hickman, Holliday, Hunter, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Osili, Pfisterer, Sandlin, Scales, Shreve, Simpson, Talley
4 NAYS: Evans, Lewis, Oliver, Robinson
2 NOT VOTING: Brown, Gray
1 ABSENT: Cain

Proposal No. 433, 2012 was retitled COUNCIL RESOLUTION NO. 31, 2013, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 31, 2013

A PROPOSAL FOR A COUNCIL RESOLUTION approving the Mayor's establishment of a charter school, "Vision Academy" by issuing a charter to Challenge Foundation Academy, Inc.

WHEREAS, the Mayor is authorized by IC 20-24 to issue charters for chartered schools within the Consolidated City; and

WHEREAS, IC 20-24-3-5 requires that a majority of the members of the City-County Council approve the establishment of charter schools prior to the Mayor issuing a charter; and

WHEREAS, the Mayor has announced his intention to issue a charter to Challenge Foundation Academy, Inc. for a charter school named "Vision Academy"; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. A majority of the members of the City-County Council hereby authorizes the Mayor to establish a charter school, "Vision Academy" by issuing a charter to Challenge Foundation Academy, Inc.

SECTION 2. This resolution shall be in full force and effect from and after passage by the Council and compliance with Indiana Code § 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Holliday in memory of James Cahill; and
- (2) Councillor Gray in memory of James W. Murphy, Charlene Yvonne Hudson, and Henry Daniels Davis, Sr.; and
- (3) Councillors Gray and Mansfield in memory of James Ernest Biven; and
- (4) Councillors Pfisterer and Lutz in memory of James O'Donnell; and
- (5) Councillor Sandlin in memory of Thomas P. Moriarty and Donald F. Shine; and
- (6) Councillor McHenry in memory of Sarah Weller.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of James Cahill, James W. Murphy, Charlene Yvonne Hudson, Henry Daniels Davis, Sr., James Ernest Biven, James O'Donnell, Thomas P. Moriarty, Donald F. Shine, and Sarah Weller. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:47 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of January, 2013.

January 28, 2013

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.


President

ATTEST:


Clerk of the Council

(SEAL)

